APPENDIX A

STATUTORY PROVISIONS INVOLVED

18 U.S.C. § 921. Definitions

(a) As used in this chapter—

* * *

(25) The term "school zone" means—

(A) in, or on the grounds of, a public, parochial or private school; or

(B) within a distance of 1,000 feet from the grounds of a public, parochial or private school.

(26) The term "school" means a school which provides elementary or secondary education, as determined under State law.

18 U.S.C. § 922. Unlawful acts

(q)(1)(A) It shall be unlawful for any individual knowingly to possess a firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone.

(B) Subparagraph (A) shall not apply to the possession of a firearm—

(i) on private property not part of school grounds;

(ii) if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State or political subdivision requires that, before an individual obtain such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under the law to receive the license;

(iii) which is—

(I) not loaded; and

(II) in a locked container, or a locked firearms rack which is on a motor vehicle;

(iv) by an individual for use in a program approved by a school in the school zone;

(v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

(vi) by a law enforcement officer acting in his or her official capacity; or

(vii) that is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

(2)(A) Except as provided in subparagraph (B), it shall be unlawful for any person, knowingly or with reckless disregard for the safety of another, to discharge or attempt to discharge a firearm at a place that the person knows is a school zone.

(B) Subparagraph (A) shall not apply to the discharge of a firearm—

(i) on private property not part of school grounds;

(ii) as part of a program approved by a school in the school zone, by an individual who is participating in the program;

(iii) by an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual; or

(iv) by a law enforcement officer acting in his or her official capacity.

(3) Nothing in this subsection shall be construed as preempting or preventing a State or local government from enacting a statute establishing gun-free school zones as provided in this subsection.

APPENDIX B

INDEX OF STATE LAWS DIRECTLY OR INDIRECTLY ADDRESSING FIREARM POSSESSION ON SCHOOL CAMPUSES

I. LAWS CRIMINALIZING POSSESSION OF FIREARMS ON OR NEAR SCHOOL CAMPUS

Alaska	ALASKA STAT. §§ 11.61.195(a)(2)(A), 11.61.220(a)(4)(A) (Supp. 1993) (felony)
Arizona	ARIZ. REV. STAT. ANN. § 13-3102(A)(12) (Supp. 1993) (misdemeanor or felony)
Arkansas	ARK. CODE ANN. § 5-73-119(a)(2)(A), (a)(3)(A) (Michie Supp. 1993) (felony)
California	CAL. PENAL CODE § 626.9 (Deering Supp. 1994) (felony)
Colorado	COLO. REV. STAT. ANN. § 18-12-105.5 (West Supp. 1993) (misdemeanor)
Connecticut	CONN. GEN. STAT. ANN. § 53a-217(b) (West Supp. 1994) (felony)
Florida	FLA. STAT. ANN. §§ 790.115, 810.095 (West Supp. 1994) (felony)
Georgia	GA. CODE ANN. § 16-11-127.1 (Michie Supp. 1994) (felony)
Idaho	IDAHO CODE § 18-3302C (Supp. 1994) (concealed firearms) (misdemeanor)
Illinois	ILL. ANN. STAT. ch. 720, para. 5/24-1(a)(12) (Smith-Hurd Supp. 1994) (felony)
Indiana	IND. CODE ANN. 35-47-9-2 (Burns Supp. 1994) (felony)

Kansas	KAN. STAT. ANN. § 21-4202(a)(4) (Supp. 1993) (misdemeanor)
Louisiana	LA. REV. STAT. ANN. §§ 14:95(A)(5), 14:95.2, 14:95.6 (West Supp. 1994) (misdemeanor or felony)
Maine	ME. REV. STAT. ANN. tit. 20-A, § 6552 (West 1993) (misdemeanor)
Maryland	MD. ANN. CODE art. 27, § 36A (1992) (misdemeanor)
Massachusetts	MASS. GEN. L. ch. 269, § 10(j) (1992) (misdemeanor)
Michigan	MICH. COMP. LAWS ANN. § 750.243d (1)(c) (West 1994) (misdemeanor)
Minnesota	MINN. STAT. ANN. § 609.66(1d) (West Supp. 1994) (felony)
Mississippi	MISS. CODE ANN. § 97-37-17 (1973) (student possession) (misdemeanor)
Missouri	MO. ANN. STAT. § 571.030.1(8) (Vernon Supp. 1994) (misdemeanor)
Montana	MONT. CODE ANN. § 45-8-334 (1993) (felony)
Nevada	NEV. REV. STAT. § 202.265 (1993) (misdemeanor)
New Jersey	N.J. STAT. ANN. § 2C:39-5e(1) (West Supp. 1994) (misdemeanor)
New Mexico	N.M. STAT. ANN. § 30-7-2-1 (Michie Supp. 1993) (felony)
New York	N.Y. PENAL LAW § 265.01(3) (McKinney 1989) (misdemeanor)
North Carolina	N.C. GEN. STAT. § 14-269.2(b) (1993) (misdemeanor or felony)

North Dakota	N.D. CENT. CODE § 62.1-02-05 (1985) (misdemeanor)
Ohio	OHIO REV. CODE ANN. § 2923.122 (Anderson 1993) (felony)
Oklahoma	OKLA. STAT. ANN. tit. 21, § 1277 (West Supp. 1994) (misdemeanor); § 1280.1 (West Supp. 1994) (felony)
Oregon	OR. REV. STAT. § 166.370 (1993) (felony)
Pennsylvania	18 PA. CONS. STAT. ANN. § 912 (1983) (misdemeanor)
Rhode Island	R.I. GEN. LAWS § 11-47-60 (Supp. 1993) (felony)
South Carolina	S.C. CODE ANN. §§ 16-23-420, 16-23-430 (Law. Co-op. Supp. 1993 (misdemeanor or felony)
South Dakota	S.D. CODIFIED LAWS ANN. § 13-32-7 (Supp. 1994) (misdemeanor)
Tennessee	TENN. CODE ANN. § 39-17-1309 (1991) (misdemeanor or felony)
Texas	TEX. PENAL CODE ANN. § 46.04(a)(1) (West Supp. 1994) (felony)
Utah	UTAH CODE ANN. § 76-10-505.5 (Supp. 1993) (misdemeanor); § 76-3-203.2 (Supp. 1993) (use of firearm) (felony)
Vermont	VT. STAT. ANN. tit. 13, § 4004 (Supp. 1993) (misdemeanor)
Virginia	VA. CODE ANN. § 18.2-308.1 (Michie Supp. 1994) (felony)
Washington	WASH. REV. CODE ANN. § 9.41.280 (West Supp. 1994) (misdemeanor)

West Virginia	1994 W. Va. Acts Ch. 37 (S.B. 46) (eff. Aug. 1, 1994) (to be codified as W. VA. CODE § 61-7-11a) (misdemeanor)
Wisconsin	WIS. STAT. ANN. § 948.605 (West Supp. 1993) (misdemeanor).

II. LAWS REQUIRING THAT STUDENTS POSSESSING FIREARMS ON CAMPUS BE SUSPENDED OR EXPELLED

Alabama	ALA. CODE § 16-1-24.1 (Supp. 1993)
Arkansas	ARK. CODE ANN. § 6-21-608 (Michie 1993)
California	CAL. EDUC. CODE § 48900(b) (Deering 1987); § 48915(b) (Deering Supp. 1994)
Delaware	DEL. CODE ANN. tit. 14, § 4112(c) (Supp. 1993)
Indiana	IND. CODE ANN. § 20-8.1-5-4(b)(1) (Burns Supp. 1994)
Kentucky	KY. REV. STAT. ANN. § 158.150(1)(a) (Michie/Bobbs-Merrill 1992)
Texas	TEX. EDUC. CODE ANN. § 21.3011(b)(4) (West 1994)
Washington	WASH. REV. CODE ANN. § 9.41.280 (West Supp. 1994)

III. LAWS HOLDING THIRD PERSONS LIABLE FOR MINOR'S FIREARM POSSESSION ON CAMPUS

Illinois	ILL. ANN. STAT. ch. 720, para. 5/24-3.3 (Smith-Hurd 1993) (delivery of firearms to minors at school)
Massachusetts	MASS. GEN. L. ch. 269, § 10(j) (1992) (misdemeanor for school personnel to fail to report any unlawful possession of handgun at school)

Mississippi	MISS. CODE ANN. § 97-37-17 (1973) (misdemeanor for teachers to allow student to possess firearm at school)
North Carolina	N.C. GEN. STAT. § 14-269.2(b) (1993) (felony to aid minor carrying firearm at school)
Oklahoma	OKLA. STAT. ANN. tit. 21, § 858 (West Supp. 1994) (fine for parents allowing student to possess firearm at school)
Tennessee	TENN. CODE ANN. § 39-17-1312 (Supp. 1993) (misdemeanor for parents allowing student to possess firearm at school).

IV. LAWS PROHIBITING POSSESSION OF FIREARMS BY MINORS

Alaska	ALASKA STAT. § 11.61.220(a)(3) (Supp. 1993) (consent of parent required)
Arizona	ARIZ. REV. STAT. ANN. § 13-3111 (Supp. 1993), *amended by* 1994 Legis. Serv. ch. 109 (H.B. 2131)
Arkansas	ARK. CODE ANN. § 5-73-119(a)(1)(A) (Michie Supp. 1993)
Hawaii	HAW. REV. STAT. § 134-7(e) (1991) (certain minors prohibited)
Idaho	IDAHO CODE § 18-3302D (Supp. 1994) (minors prohibited from carrying concealed firearms at school)
Nebraska	NEB. REV. STAT. § 28-1204 (1989)
New Hampshire	N.H. REV. STAT. ANN. § 207:2-a (Supp. 1993) (prohibiting minors possessing firearms for hunting, unless accompanied by adult)

V. LAWS PROHIBITING DELIVERY OF FIREARMS TO MINORS

Arizona	ARIZ. REV. STAT. ANN. § 13-3109(A) (1989), *amended by* 1994 Legis. Serv. ch. 109 (H.B. 2131) (felony)
Connecticut	CONN. GEN. STAT. ANN. § 29-34 (1990) (felony)
Illinois	ILL. ANN. STAT. ch. 720, para. 5/24-3 (a), (b) (Smith-Hurd 1993) (felony)
Iowa	IOWA CODE ANN. § 724.22(1) (West 1993) (misdemeanor)
Kansas	KAN. STAT. ANN. § 21-4203(a)(1) (Supp. 1993) (misdemeanor)
Louisiana	LA. REV. STAT. ANN. § 14:91 (West 1986) (misdemeanor)
Maryland	MD. ANN. CODE art. 27, § 406 (1992) (misdemeanor)
Massachusetts	MASS GEN. L. ch. 140, § 130 (Supp. 1994) (fine)
Minnesota	MINN. STAT. ANN. § 609.66(1)(6), (1b) (West Supp. 1994) (misdemeanor)[1]
Missouri	MO. ANN. STAT. § 571.060.1(2) (Vernon Supp. 1994) (misdemeanor)
Nevada	NEV. REV. STAT. § 202.310 (1993) (misdemeanor)
New Hampshire	N.H. REV. STAT. ANN. § 159:12 (1986) (misdemeanor)
New York	N.Y. PENAL LAW § 265.16 (McKinney Supp. 1994) (felony)

[1] The penalty is increased if delivery occurs within a school zone.

North Carolina	N.C. GEN. STAT. § 14-315 (1993) (misdemeanor)
Oklahoma	OKLA. STAT. ANN. tit. 21, § 1273 (West Supp. 1994) (misdemeanor)
Rhode Island	R.I. GEN. LAWS §§ 11-47-30, 11-47-37 (1993) (felony)
Tennessee	TENN. CODE ANN. § 39-17-1316(a) (Supp. 1993) (misdemeanor)

VI. LAWS PREEMPTING LOCAL REGULATION OF FIREARMS POSSESSION

Delaware	DEL. CODE ANN. tit. 9, § 330(c) (1989) (counties); tit. 22, § 111 (1987) (municipalities)
Idaho	IDAHO CODE § 31-872 (Supp. 1994) (counties); § 50-343 (1994) (cities)
Kentucky	KY. REV. STAT. ANN. § 65.870 (Michie/Bobbs-Merrill Supp. 1992)
Maine	ME. REV. STAT. ANN. tit. 25, § 2011 (West Supp. 1993)
Mississippi	MISS. CODE ANN. § 45-9-51 (1993)[2]
Missouri	MO. ANN. STAT. § 21.750.2 (Vernon Supp. 1994)
Montana	MONT. CODE ANN. § 45-8-351(1) (1993)[3]
Nevada	NEV. REV. STAT. § 244.364.1 (1993) (counties); § 268.418 (cities)

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[2] Mississippi law provides an exception allowing local governments to regulate firearm possession at schools. See MISS. CODE ANN. § 45-9-53(f)(iii) (1993).

[3] Montana law provides an exception allowing local governments to regulate firearm possession at schools. See MONT. CODE ANN. § 45-8-351(1) (1993).

North Dakota	N.D. CENT. CODE § 62.1-01-03 (1985)
Oklahoma	OKLA. STAT. ANN. tit. 21, § 2189.24 (West Supp. 1994)
Pennsylvania	18 PA. CONS. STAT. ANN. § 6120 (Supp. 1994)
South Carolina	S.C. CODE ANN. § 23-31-510 (Law. Co-op. 1991)
South Dakota	S.D. CODIFIED LAWS ANN. § 7-18A-36 (1993) (counties); § 9-19-20 (Supp. 1994) (cities)
Tennessee	TENN. CODE ANN. § 39-17-1314 (1991)
Vermont	VT. STAT. ANN. tit. 24, § 2295 (1992)
Virginia	VA. CODE ANN. § 15.1-29.15 (Michie 1989) (preempting laws passed after Jan. 1, 1987)

APPENDIX C

INDEX OF STATE CONSTITUTIONAL PROVISIONS REGARDING EDUCATION

I. CONSTITUTIONS PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF PUBLIC SCHOOLS

Alabama	ALA. CONST. art. XIV, § 256
Alaska	ALASKA CONST. art. VII, § 1
Arizona	ARIZ. CONST. art. XI, § 1
Arkansas	ARK. CONST. art. 14, § 1
California	CAL. CONST. art. IX, § 5
Colorado	COLO. CONST. art. IX, § 2
Delaware	DEL. CONST. art. X, § 1
Florida	FLA. CONST. art. IX, § 1
Georgia	GA. CONST. art. VIII, § 1
Hawaii	HAW. CONST. art. X, § 1
Idaho	IDAHO CONST. art. IX, § 1
Illinois	ILL. CONST. art. X, § 1
Indiana	IND. CONST. art. 8, § 1
Iowa	IOWA CONST. art. IX, § 1
Kansas	KAN. CONST. art. 6, § 1
Kentucky	KY. CONST. art. XIII, § 183
Louisiana	LA. CONST. art. VIII, § 1
Maryland	MD. CONST. art. VIII, § 1
Michigan	MICH. CONST. art. VIII, § 1
Minnesota	MINN. CONST. art. XIII, § 1
Mississippi	MISS. CONST. art. 8, § 201

Missouri	MO. CONST. art. IX, § 1(a)
Montana	MONT. CONST. art. X, § 1
Nebraska	NEB. CONST. art. VII, § 1
Nevada	NEV. CONST. art. 11, §§ 1-2
New Jersey	N.J. CONST. art. 8, § 4, ¶ 1
New Mexico	N.M. CONST. art. XII, § 1
New York	N.Y. CONST. art. XI, § 1
North Carolina	N.C. CONST. art. I, § 15; art. IX, § 1
North Dakota	N.D. CONST. art. VIII, § 1
Ohio	OHIO CONST. art. VI, § 2
Oklahoma	OKLA. CONST. art. XIII, § 1
Oregon	OR. CONST. art. VIII, § 3
Pennsylvania	PA. CONST. art. 3, § 14
Rhode Island	R.I. CONST. art. XII, § 1
South Carolina	S.C. CONST. art. XI, § 3
South Dakota	S.D. CONST. art. VIII, § 1
Tennessee	TENN. CONST. art. 11, § 12
Texas	TEX. CONST. art. VII, § 1
Utah	UTAH CONST. art. X, § 1
Vermont	VT. CONST. ch. 11, § 68
Virginia	VA. CONST. art. VIII, § 1
Washington	WASH. CONST. art. IX, § 1
West Virginia	W. VA. CONST. art. 12, § 1
Wisconsin	WIS. CONST. art. X
Wyoming	WYO. CONST. art. 1, § 23

II. CONSTITUTIONS REFERRING GENERALLY TO STATE GOVERNMENT EDUCATIONAL DUTIES

Connecticut	CONN. CONST. art. VIII, §§ 1-2
Maine	ME. CONST. art. VIII, § 1
Massachusetts	MASS. CONST. art. III, § 91
New Hampshire	N.H. CONST. pt. 2, art. 83